

Butler
Serial no. 10/500,524
Filed 6/30/2004
Attorney docket no. BEA920010034US1

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REMARKS

Claim rejections under 35 USC 102

Claims 1-20 have been rejected under 35 USC 102(b), as being anticipated Bellin (US 6,072,858). Applicant respectfully traverse this rejection as to the amended claims, as is now described.

Independent claims 1, 13, and 18 have been amended to better clarify the inventions that Applicant is claiming. Claims 1, 13, and 18 substantially share common limitations. Therefore, claim 1 is discussed here as representative of claims 1, 13, and 18, to avoid redundancy. Applicant asserts that claim 1 is not anticipated by, nor rendered obvious in view of, Bellin, as is specifically described below. For similar, if not identical, reasons, claims 13 and 18 are not anticipated by, nor rendered obvious in view of, Bellin. Because claims 2-12, 14-17, and 19-20 ultimately depend from independent claims 1, 13, or 18, they are not anticipated by Bellin for at least the same reasons proffered below.

Brief summary of claim 1

Claim 1 is directed to a system including two or more power line communication units and a management component. The management component has been amended so that it is "to verify whether the power line communication units *are properly coupled to the power circuits* based on the identifiers sent." That is, the power line communication units are coupled to and send identifiers over power circuits. The management component is responsive to these identifiers, and on the basis of the identifiers sent determines whether the power line communication units *are properly coupled to the power circuits*.

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Bellin does not render claim 1 unpatentable

Bellin's management component is not used to determine whether the power line communication units are properly coupled to the power circuits based on the identifiers sent by these units over the circuits. Rather, Bellin is directed to "a system for detecting and reporting a defect in a telephone line." (Abstract) The defects in the telephone line are communicated by the power line communication units "via the power line," i.e., over the power circuits. Thus, Bellin's management component does not use the identifiers sent by the communication units to verify whether they are properly connected to power circuits. Rather, the management component receives communications over the power circuits from the communication units to verify whether the telephone lines to which the communication units are also coupled are defective or not.

Therefore, Bellin does not anticipate claim 1. Bellin's management component does not verify whether the power line communication units are properly coupled to the power circuit. Rather, Bellin's management component verifies whether there is a defect in a telephone line. When the telephone line is down, the communication units cannot communicate to Bellin's management component over the telephone line. Therefore, Bellin uses power lines as an alternative communication medium by which these communication units can report defects in the telephone line. As such, Bellin does not read on claim 1, which is limited to verifying whether the power line communication units are properly coupled to the power circuits, where such verification is not performed in Bellin.

Although claim 1 has not been rejected under 35 USC 103(a), Applicant further notes that claim 1 is not obvious in view of Bellin, either alone or in combination, either. If Bellin were modified to verify proper power line coupling of the communication units, as in the claimed invention, then it would not be verifying whether the telephone line contains defects. However, the purpose of Bellin is entirely to learn of defects in the telephone line. For example, there are two objects listed in Bellin. The first is "to provide a system that detects and reports defects in a telecommunications line." (Col. 1, ll. 43-45) The second is "to provide a method for detecting

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and reporting defects in telecommunications lines” (Col. 2, ll. 56-63) That is, Bellin is completely focused on defects in *telephone* lines, not whether there are proper couplings to *power* lines, as the claimed invention. Modifying Bellin to instead be directed to power line defects instead of telephone lines would render it unsuitable for the intended purpose of Bellin, which is detecting and reporting telephone line defects.

Furthermore, modifying Bellin to verify power line couplings would not work in the manner taught by Bellin. Bellin works by having two different communications media, power lines and telephone lines. Defects in one of the communications media, the telephone lines, are reported over the other communications medium, the power lines. However, if Bellin were modified to report defects in the power lines over the power lines, such reports could not be received by the management component, because the communication medium being used to report these problems – the power line – would be already be defective. That is, if the power line is defective, then reporting the defects over the power line cannot be done. For all of these reasons, then, claim 1 is patentable in view of Bellin.

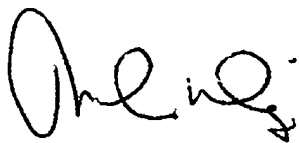
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Conclusion

Applicants have made a diligent effort to place the pending claims in condition for allowance, and request that they so be allowed. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney so that such issues may be resolved as expeditiously as possible. For these reasons, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,



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Date

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